

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AFFILIATED FOODS MIDWEST
COOPERATIVE, INC., a Nebraska
corporation; and ASSOCIATED
WHOLESALE GROCERS, INC.,

Plaintiffs,

vs.

SUPERVALU INC., a Delaware corporation;

Defendant.

BOROWIAK IGA FOODLINER, INC.,

Plaintiff,

vs.

AFFILIATED FOODS MIDWEST
COOPERATIVE, INC., and ASSOCIATED
WHOLESALE GROCERS, INC.,

Defendants,
Counterclaimants, and
Third-Party Defendants,

vs.

TREVOR BOROWIAK,

Third-Party Defendant.

**8:16CV465
MEMBER CASE**

ORDER

**8:16CV466
LEAD CASE**

ORDER

This matter is before the Court *sua sponte*.

It has come to the Court's attention after review of the docket in the Lead Case that parties are not using the "spread text" feature when filing documents. Therefore, SuperValu is not receiving notice in the Member Case of many, if not all of the filings in the Lead Case. The Court delineated the procedure for filing documents in these consolidated cases in its Order dated January 17, 2017. The parties are reminded to review the procedure for filing documents in these consolidated cases set forth in the Court's prior Order. The Court reiterates the procedure for filing below:

1. The two above-captioned cases are consolidated for purposes of discovery and pretrial management.

2. Case No. 8:16CV466 is designated as the “Lead Case” and Case No. 8:16CV465 is designated as “Member Case.”

4. The court’s CM/ECF System has the capacity for “spreading” text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in the Member Case. The parties are instructed to file documents related to discovery (except those described in paragraph 5) in the Lead Case and to select the option “yes” in response to the System’s question whether to spread the text.

5. The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.

6. If a party believes an item in addition to those described in paragraph 4 should not be filed in all the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion must be filed in all the consolidated cases using the spread text feature.

IT IS SO ORDERED.

Dated this 3rd day of May, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge